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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,074	05/08/2001	Daniel F. Dlugos	F-201	2850
919	7590	10/29/2004	EXAMINER PHAN, MAN U	
PITNEY BOWES INC. 35 WATERVIEW DRIVE P.O. BOX 3000 MSC 26-22 SHELTON, CT 06484-8000			ART UNIT 2665	PAPER NUMBER

DATE MAILED: 10/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/851,074

Applicant(s)

DLUGOS ET AL.

Examiner

Man Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The application of Dlugos et al. for a "Facsimile machine having multi-purpose data ports for signal routing and data management " filed 05/08/2001 has been examined. This application is a CIP of 09/470,585 filed 12/22/1999 is now US Patent #6,584,113, and a CIP of 09/470,730 filed 12/22/1999 is now US#6,463,133. Claims 1-39 are pending in the application.

Specification

2. Cross Reference to related applications need to be updated.

The disclosure is objected to because of the following informalities: Under cross references to related applications CIP status needs to be updated. Serial number 09/470,585 filed on December 22, 1999 is now US# 6,584,113. Serial number 09/470,730 filed on December 22, 1999 is now US# 6,463,133.

The disclosure is objected to because of the following informalities: On page 5, lines 29, "a display 58" should be —a display 56—as shown in Fig. 3. Appropriate correction is required.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

Reference character (32) as shown in Fig. 2.

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A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claims 1-3, 6 and 11-13, 16 are objected to because of the following informalities: The claim contains the phrase “adapted to”. It has been held that the recitation that an element is “adapted to” perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. In re Hutchison, 69 USPQ 138. Appropriate correction is required.

Claim Rejections - 35 USC ' 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made

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to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 1038 and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-3, 6-13, 16-21, 28-31, 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cueman (US#6,765,993) in view of Purdy et al. (US#6,658,254).

With respect to claims 1-3, 6, Cueman (US#6,765,993) and Purdy et al. (US#6,658,254) discloses a novel system and method for routing a data transfer, according to the essential features of the claims. Cueman (US#6,765,993) discloses in Fig. 1 a diagrammatic representation of an information gathering system 10 for remotely monitoring and diagnosing the condition of conventional equipment 12. The system comprises at least one sensor, electronic controller, electronic module and data processor unit. The electronic controller is connected to monitored equipment and operable to sense and electronically store an indication of the equipment condition. The electronic module is removably connectible with the electronic controller and operable to electronically record the indication of equipment condition, removably connectible with a telephone outlet and capable of sensing connection

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therewith, and preprogrammed to dial the telephone number of a data processor unit at a remote service provider location. The data processor unit responds to the dialed telephone number, downloads the electronic indication, analyzes it and outputs a recommended course of action (Col. 1, lines 46 plus). Cueman further teaches in Fig. 3 a block diagram illustrated a detachable electronic module 16 employed in the information gathering system 10, in which one of the electronic controllers 34 and is operable to electronically record the equipment condition indication received from the respective electronic controller 34. Each electronic module 16 includes an electronic memory 36, a control circuit 38 and a communications interface 40 having a telephone plug 42. The electronic memory 36 is preprogrammed to store the predetermined telephone number. The communications interface 40 is connectible via its telephone plug 42 with the telephone outlet 18 and operable to sense a dial tone in response to connection of its telephone plug 42 with the telephone outlet 18. The control circuit 38 is interconnected between the electronic memory 36 and the communications interface 40, connectible with the electronic controller 34 with the plugging of the electronic module 16 into the controller 34 and is operable to store the equipment condition indication signal received from the controller 34. The control circuit 38 also is operable to cause generation of the predetermined telephone number by the electronic memory 36 and to transmit the generated telephone number and the stored equipment condition indication to the telephone outlet 18 via the communications interface 40 and the telephone plug 42 thereof (Col. 4, lines 10 plus).

However, Cueman (US#6,765,993) does not expressly disclose the plurality of module ports, which coupled tone of a plurality of equipment modules. In the same field of endeavor,

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Purdy et al. (US#6,658,254) discloses a method and apparatus for completing a multimedia call to a mobile user who has registered to receive a multimedia call at a multimedia terminal using a portable intelligent device. Fig. 1 shows a system in accordance with an embodiment of the present invention. Each of first PID 110 and second PID 120 can transmit a message to and receive a message from multimedia terminal 130. For example, as illustrated in Fig. 1, first PID 110 transmits data via IR port 117 to multimedia terminal 130 via IR port 137. Such data transmission represents an example of a low-bandwidth connection in an embodiment of the present invention. In another embodiment, a PID can transmit a message to a multimedia terminal by other ways known in the art such as a physical cable (e.g., wire, fiber, Universal Serial Bus ("USB") connection, serial port cable, etc.) connected to both the PID and the multimedia terminal, a physical joining of the PID and the multimedia terminal that establishes electrical connectivity between the two (e.g., via a docking station coupled to or part of the multimedia terminal and into which the PID is docked), or a wireless connection between the PID and the multimedia terminal (e.g., wireless LAN, wireless IP, wireless WAN, radio transmission, etc.) (Col. 4, lines 20 plus).

Regarding claims 7-10, Purdy et al. (US#6,658,254) further teaches the increasing ability of a PID to communicate with other devices using wireless technology, such as infrared data transmissions, a wireless Local Area Network ("LAN"), wireless Wide Area Network ("WAN") and/or a wireless Internet service provider ("WISP"). As shown in Fig. 1, a PID can transmit a message to a multimedia terminal by other ways known in the art such as a physical cable (e.g., wire, fiber, Universal Serial Bus ("USB") connection, serial port cable, etc.) connected to both the PID and the multimedia terminal, a physical joining of the PID and

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the multimedia terminal that establishes electrical connectivity between the two (e.g., via a docking station coupled to or part of the multimedia terminal and into which the PID is docked), or a wireless connection between the PID and the multimedia terminal (e.g., wireless LAN, wireless IP, wireless WAN, radio transmission, etc.) (Col. 4, lines 26 plus).

Regarding claims 11-13, 16-17, they are system claims corresponding to the apparatus claims 1-3, 6 above. Therefore, claims 11-13, 16-17 are analyzed and rejected as previously discussed with respect to claims 1-3, 6.

Regarding claims 18-21, they are system claims corresponding to the apparatus claims 7-10 above. Therefore, claims 118-21 are analyzed and rejected as previously discussed with respect to claims 7-10.

Regarding claims 28-31, 34-35, they are method claims corresponding to the apparatus and system claims 1-3, 6 and 11-13, 16-17 above. Therefore, claims 28-31, 34-35 are analyzed and rejected as previously discussed with respect to claims 1-3, 6 and 11-13, 16-17.

One skilled in the art would have recognized the need for effectively and efficiently routing and transferring of data in telecommunication network utilizing the module ports connection, and would have applied Purdy's novel use of the serial port connection, wireless LAN connection or IR port connection in telecommunication network into Cueman's teaching of the information gathering system. Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to apply Purdy's method and apparatus for personalization of a public multimedia communications terminal into Cueman's information gathering system for remotely monitoring and diagnosing equipment condition

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with the motivation being to provide a method and apparatus for telecommunications signal routing and data transfer module.

8. Claims 4-5, 14-15, 22-27, 32-33, 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cueman (US#6,765,993) in view of Purdy et al. (US#6,658,254) as applied to the claims above, and further in view of Storace et al. (US#4,831,554).

With respect to claims 4-5, Cueman (US#6,765,993) and Purdy et al. (US#6,658,254) disclose the claims as discussed in paragraph 7 above. However, these claims differ from the claims above in that the claims require the controller determines if one of the plurality of equipment modules (postage scale, postage meter, mailing machine, PC) is available based on time of day, date. In the same field of endeavor, Storace et al. (US#4,831,554) discloses an electronic postage meter for printing postage indicia having a postage value and a message, in which the message is stored in a memory and the printer of the postage meter prints the message in accordance with that stored in the memory. The postage meter is provided with a communication port and is responsive to determined signals received at the port for changing the message stored in the memory, thereby to change the message printed in the postage indicia (See Figs 1-7, the Abstract and Col. 8, lines 49 plus).

Regarding claims 14-15, and 22-27, they are system claims corresponding to the apparatus claims 4-5 above. Therefore, claims 14-15, 22-27 are analyzed and rejected as previously discussed with respect to claims 4-5.

Regarding claims 32-33, 36-39, they are method claims corresponding to the apparatus and system claims 4-5 and 14-15, 22-27 above. Therefore, claims 32-33, 36-39 are analyzed and rejected as previously discussed with respect to claims 4-5, 14-15, 22-27.

One skilled in the art would have recognized the need for effectively and efficiently routing and transferring of data in telecommunication network utilizing the module ports connection, and would have applied Storace's postage meter recharging system, Purdy's novel use of the serial port connection, wireless LAN connection or IR port connection in telecommunication network into Cueman's teaching of the information gathering system. Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to apply Storace's postage meter message printing system, and Purdy's method and apparatus for personalization of a public multimedia communications terminal into Cueman's information gathering system for remotely monitoring and diagnosing equipment condition with the motivation being to provide a method and apparatus for telecommunications signal routing and data transfer module.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Manduley et al. (US#6,584,113) is cited to show the data transfer module and system using same.

The Dlugos et al. (US#6,463,133) is cited to show method and apparatus for telecommunications signal routing and data management.

The Purdy et al. (US#2004/0023656) is cited to show the method and apparatus for personalization of a public multimedia communications terminal.

The Solondz et al. (US#2002/0146980) is cited to show the wireless architecture using multiple air interface.

The Toguchi et al. (US#2002/0126696) is cited to show the communication system and circuit controller

The Bruce, sr. et al. et al. (US#2002/0099562) is cited to show the system and method of data exchange for electronic transactions with multiple sources.

The Kern et al. (US#6,202,124) is cited to show the data storage system with outboard physical data transfer operation utilizing data path distinct from host.

The Takayama et al. (US#5,315,640) is cited to show the data transfer device

The Melrose (US#5,062,133) is cited to show the multi-function telephone call management system

The Hafer et al. (US#5,070,523) is cited to show the private automatic business exchange.

The Berthoud et al. (US#6,608,889) is cited to show the telephone having convenience feature data transfer capability.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Phan whose telephone number is (571) 272-3149.

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The examiner can normally be reached on Mon - Fri from 6:00 to 3:00 EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: (703) 305-9051, (for formal communications intended for entry)

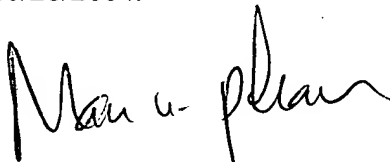
Or: (703) 305-3988 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Mphan

10/28/2004.



MAN U. PHAN
PRIMARY EXAMINER